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20 March 1951

MEMORANDUM

TO: Chief, Fiscal Division

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FROM: Chief, Planning and Field Audit Branch, Finance Division

SUBJ: Reimbursement for Shipment of Household Effects

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In response to memorandum dated 10 March 1951, from the Office of the General Counsel, which was forwarded to me for comment with respect to the intent of the then Chief, Fiscal Division as to the effective date of the commitment, it is necessary to report as follows:

a. Travel Order No. 173-51 was prepared on 5 September 1950 and, even though it was known or had been reported that transportation of household effects could not begin until "10 September 1950, or as soon thereafter as practicable" the intent was to consider the transaction during the process of the travel order in light of laws and regulations in effect on 5 September 1950, (as enumerated in the travel order). To reason otherwise would preclude a showing (by citation) to the traveler how his claim would be considered when received for payment. As you are aware, when issuing travel directives we never anticipate changes in laws and/or regulations, but instead we furnish the employee by citation only (because of the amount of time and paper involved in rendering other advice) a tool with which he could determine what expenses he could incur and receive reimbursement therefor. By supplying references to current regulations we also equip our travelers with information to permit them to ascertain that they are receiving fair treatment, or ask for amended travel authorizations if they receive knowledge of amendments to regulations prior to the time such information was received in the Fiscal Division. We have never, for obvious reasons, attempted to amend a travel authorization without first receiving a request for such action.

b. The practice of considering the date of commitment as beginning the date travel orders are written is consistent with prior obligation and other requirements of the General Accounting Office, as specifically expressed in a long line of decisions. As a ready reference to one closely paralleling this case, please refer to 20, CG:479 particularly the last sentence in the first paragraph on Page 483.

c. With respect to the other phase of the subject under discussion, pertaining to minimum weight limitation, a controlling decision may be found in 27 CG at Pages 236 and 237, which when stated briefly holds that an employee may not be reimbursed an amount greater than the commuted allowance on the basis that he was required to pay more because of a minimum weight limitation.

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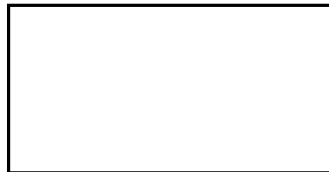
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In conclusion I should like to state that my sympathy is with the traveler in this case because there was an inequity in the regulations pertaining to the minimum weight limitation, which, of course, has been recognized and corrected by Executive Order 10196 dated 22 December 1950. While consolations don't offset expenses, no doubt many other Government employees found themselves in a similar position with during the period November, 1946, through 22 September 1950.

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The complete file forwarded with your official routing slip dated 12 March 1951 is returned herewith, along with my feeling, even though regrettable, that reimbursement was accomplished exactly compatible with regulations in effect at the time the travel order was issued, as expressed therein.



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